



3/14/06

MESSAGES FROM THE HOUSE

SB 120 (Johnson)

SB 263 (Hammerstrom)

Senate Bill 120 would provide for the admissibility of evidence of prior acts of domestic violence when a person was accused of an offense involving domestic violence. Evidence of an act occurring more than 10 years before the charged offense would be inadmissible, however, unless the court determined that admitting the evidence was in the interest of justice. If the prosecuting attorney intended to offer evidence under the bill, he or she would have to disclose the evidence to the defendant at least 15 days before the trial, or later as allowed by the court for good cause shown.

- The Senate concurred with the House amendment to SB 120 [RC 133: 37 yes, 0 no].

Senate Bill 263 would specify that evidence would not be inadmissible as hearsay in a domestic violence case if all of the following applied: the statement purported to narrate, describe, or explain the infliction or threat of physical injury upon the person making the statement; the action in which the evidence was offered was an offense involving domestic violence; the statement was made at or near the time of the infliction or threat of physical injury; the statement was made under circumstances that would indicate its trustworthiness; and the statement was made to a law enforcement official. Evidence of a statement made more than five years before the filing of the action or proceeding would be inadmissible. If the prosecuting attorney intended to offer evidence under the bill, he or she would have to disclose the evidence to the defendant at least 15 days before the trial, or later as allowed by the court for good cause shown.

- The Senate concurred with the House amendment to SB 263 [RC 134: 37 yes, 0 no].

SB 462 (Switalski)

Senate Bill 462 would change the deadline to file as a write-in candidate. Instead of 4 p.m. on the Friday before the election, the new deadline would be 4 p.m. on the Tuesday before the election.

- The Senate concurred with the House amendment to SB 462 [RC 135: 37 yes, 0 no].

SB 728 (Hardiman)

Senate Bill 728 would change the name of the Childhood Immunization Registry to the Michigan Care Improvement Registry; require the Department of Community Health to promulgate rules, and to use the information in the registry; and eliminate a requirement for local health department authorization when a health professional other than a physician administered an immunizing agent.

- The Senate concurred with the House amendment to SB 728 [RC 136: 37 yes, 0 no].

THIRD READING OF BILLS

SB 969 (Johnson)

Senate Bill 969 would authorize the State Administrative Board to convey two parcels of property, one located in Lansing, the other in Blackman Township, Jackson County.

- Johnson 1a was adopted.
- Committee S-2 was adopted.
- SB 969 was moved to 3rd Reading of Bills.

HB 4555 (Pearce)

House Bill 4555 would amend the Michigan Transportation Fund law to do all of the following: Specify that the funds required to be spent for nonmotorized transportation services and facilities would have to be used for construction, improvement, or preservation of those services and facilities. Include the addition or preservation of a sidewalk in a city or village as a qualified nonmotorized facility. Remove the paving of unpaved roads from improvements that are considered qualified nonmotorized facilities. Nonmotorized transportation money from the MTF has been withheld from sidewalks because of a 1973 advisory memorandum from the Attorney General. According to a Michigan Department of Transportation (MDOT) official, the Department believes that the addition or preservation of sidewalks should be included in MTF nonmotorized funding, and the bill would authorize that use of the 1% dedicated to nonmotorized transportation services and facilities.

- Committee S-2 was not adopted.
- Allan 2 was adopted.
- HB 4555 was moved to 3rd Reading of Bills.

HB 5258 (Caul)

House Bill 5258 would amend the Michigan Economic and Social Opportunity Act to specify that a community action agency (CAA) could establish term limits for members of its board, and

that an administrative rule establishing such term limits would be void. The Act requires a CAA to establish a board of directors as follows: One third of the members must be elected public officials; one third must be low income, elderly, or consumers with disabilities; and one third must represent the private sector, including representatives of business and industry, agriculture, labor, and religious and civic organizations. Under the bill, a CAA could establish term limits in the agency's bylaws for members of its board of directors. An administrative rule that purported to establish term limits for a member of a CAA board of directors would be void.

- HB 5258 was moved to 3rd Reading of Bills [no amendments]